



**CITY OF RIVER FALLS, WISCONSIN
COMMON COUNCIL PROCEEDINGS**

June 27, 2023

Mayor Toland called the meeting to order at 6:30 p.m.

City Council Members Present: Mayor Dan Toland, Jeff Bjork, Sean Downing, Alyssa Mueller (virtual), Todd Bjerstedt, Scott Morrisette, Diane Odeen

Members Absent: Nick Carow

Staff Present: City Administrator Scot Simpson; Assistant City Administrator Jason Stroud; City Attorney Chris Gierhart; IT Specialist Jon Smits; Utility Director Kevin Westhuis; Assistant to the City Administrator Jennifer Smith; Police Chief Gordon Young; Economic Development Manager Keri Schreiner; Assistant Director of Community Development Emily Shively; City Clerk Amy White; Deputy Clerk Jackie Hanson; Finance Director Josh Solinger; Community Development Director Amy Peterson; Management Analyst Fellow Sara Kasel

Others: Cheryl Ross, David Curtin, Patricia LaRue, Carl Corey, Greg Jennings, Joe Pavlichek, Jake Ross, Kim Pavlichek, others

APPROVAL OF MINUTES

June 13, 2023, Regular Meeting Minutes

MS Bjork/Odeen move to approve minutes. The Mayor said he would be doing roll call votes since Alderperson Mueller was remote. He asked for a roll call vote. **The roll call vote to approve the minutes passed unanimously.**

APPROVAL OF BILLS:

Bills: \$684,721.82

MS Morrisette/Downing move to approve bills. The roll call vote to approve the bills passed unanimously.

PUBLIC COMMENT, PETITIONS, REQUESTS AND COMMUNICATIONS:

Cheryl Ross, N8681 1020th Street – came to express concerns about 879th Street. Residents are not opposed to the Oak Hill development but have concerns about extending Compton onto 879th Street. She talked about the width of the street, possible increase in traffic, the beauty of the street, and the safety of children. She doesn't feel it is the right road to have an extension on it.

Carl Corey, N8657 1020th Street – talked about the engineering report commissioned by the Town of River Falls. He talked about the possible increase in traffic.

Greg Jennings, 1674 Valley Quail – 879th Street abuts his backyard. He talked about it being country in the city. He encouraged council to take a drive down the road. He asked council to reconsider.

Joe Pavlichek, N8739 1025th Street – talked about the development in River Falls. He asked if council's constituents want it. He asked if studies were done. He was concerned about increased traffic.

Jake Ross, N8681 1020th Street – grew up on this road. He talked about the road topography and the width of the road and a traffic increase which increases dangers to walkers.

Kim Pavlichek, N8739 1025th Street – she wondered who would be taking care of the road (township or city)

Patricia La Rue, 489 Marcella Court – spoke in support of the Oak Hill development. She supports city growth. She talked about the city trying to provide a variety of housing.

Cheryl Ross, N8681 1020th Street – said the residents are not opposed to the development.

PUBLIC HEARING:

Annual Liquor License and Beer License Renewals – Hearing and Disposition by Motion for each License Class

At 6:45 p.m., the mayor moved into a public hearing and asked for comments.

The mayor asked if the two agents were present (Brandyn Ruesink from Kwik Trip #453 and Brian Weber from the Moose Lodge). Both were present.

Motion by Morrissette to grant renewal for the Combination “Class B” Liquor and Class “B” Beer License for Moose Lodge contingent on all licensing requirements being met at the time of issuance.

City Administrator Simpson noted council was still in a public hearing. **The mayor closed the public hearing and moved back into open session.**

MS Morrissette/Bjerstedt to grant renewal for the Combination “Class B” Liquor and Class “B” Beer License for Moose Lodge contingent on all licensing requirements being met at the time of issuance. The roll call vote to approve the license passed unanimously.

MS Downing/Bjerstedt move to grant renewal for the Combination “Class A” Liquor and Class “A” Beer Licenses for Kwik Trip #453 contingent that all licensing requirements are met at the time of issuance. The roll call vote to approve the license passed unanimously.

Ordinance 2023-10 - Amending Title 17 Zoning: Chapters 17.44, 17.68, 17.84 and 17.116 related to Electronic Reader Board Signs – First Reading

Assistant Director of Community Development Emily Shively provided a presentation. Staff received requests in three areas for changing the code (increased utilization of technology where existing electronic signs are permitted, allowing non-residential uses in residential zoning districts to have electronic signs, changing existing billboards to digital). She explained that the purpose of the sign regulations. Shively said Plan Commission had discussions in April. The Plan Commission was open to modernizing the code to allow for greater use of technology and conversation of billboards to electronic signs. Shively detailed the proposed ordinance amendment. She said Plan Commission reviewed it on June 6, and forwarded it to the council with a favorable recommendation.

At 6:51 p.m., the mayor moved into a public hearing and asked for comments.

David Curtin, Lamar Advertising – he had amendments he wanted council to consider. In Section 3 Item 6, it allows one sign per lot. He would like back-to-back signs. In Item 8, he wanted clarification for monument signs on whether it was on or off premises. Sections 9-12 deal with the way messages are displayed. He would like a six second run time added. Item 16, Part B, he wasn't in favor of removing one static sign to modernize another.

Aldersperson Morrissette asked if this was communicated to staff. Curtin was told to bring it council. Mayor Toland said he was at the Plan Commission. They have looked at it.

With no other comments, the mayor moved into Open Session at 6:54 p.m. Alderperson Bjork asked about signs being a mile apart. The mayor said it's referring to the billboards. The mayor asked Emily Shively to speak. Simpson asked Shively to address on premises versus off premise.

Shively said on premise means that you're advertising about the business that the sign is associated with on the site. Billboards aren't associated with any business. They are advertising other businesses. They are advertising for businesses that are not on those premises – so off premise. Billboards always fall into the off-premises category. The distance requirement of a mile only relates to digital billboards. Shively explained the process for digital billboards.

CONSENT AGENDA

Acknowledgement of the following minutes: Library Board – 5/1/23; Utility Advisory Board – 5/15/23; West Central Wisconsin Biosolids Facility Commission – 5/18/23; Park and Recreation Advisory Board – 5/10/23; River Falls Housing Authority – 5/22/23; BID Board – 3/10/23; Plan Commission – 5/2/23

Resolution No. 6795 - Approving the Specific Implementation Plan and Final Plat for South Pointe 1st Addition

Resolution No. 6796 - Approving the Final Plat for Oak Hill

Resolution Amending Fee Schedule for Streetlight Special Charge → → **pulled by Downing**

Resolution No. 6797 - Extending Audit Contract through the 2024 Audit with Baker Tilly US, LLP

Resolution No. 6798 - Awarding 2023 and 2024 Manhole Rehabilitation Project

Resolution No. 6799 - Approving 2022 Compliance Maintenance Annual Report (CMAR)

Resolution No. 6800 - Designating the Existing Business Improvement District (BID) Board and the City Finance Director as Members of the Ad Hoc City of River Falls Downtown Reinvestment Committee

MS Odeen/Bjerstedt move to approve the remainder of the consent agenda. The mayor asked for a roll call vote. It passed unanimously.

Resolution No. 6801 - Amending Fee Schedule for Streetlight Special Charge

Alderperson Downing is in favor of the resolution. He thanked the planning staff and everyone who worked on it. He said the streetlight utility saves money that adds up and keeps life affordable for the community. Currently, the average homeowner pays \$39 per year for streetlights. With changing to the streetlight utility, the average homeowner will pay \$24 per year. The streetlight costs can be responsibly distributed in doing a streetlight utility.

Alderperson Bjork agreed with Downing but doesn't think the breakdown is correct. He thinks the commercial and industrial customers are getting off easy. He thinks it should be increased. Bjork did quick math and can still come up to \$234,000 is needed. Bjork thinks it should be \$1.50 per unit (residential) and commercial and industrial should be 12 and 18 units and parks and schools should go to 20 units each. When you do the math, it still ends up to \$234,000. He said that commercial and industrial are getting by too light. They should pay for more of a burden than that.

Bjork would like to amend the dollar amounts but he acknowledged that no other councilors have seen it so no one would be able to second it. The mayor confirmed that the council will see the rates yearly.

City Administrator Simpson said yes. He suggested that if council has concerns about the distribution of the REUs or the equivalents or the distribution between residential, commercial, industrial and schools, that they not proceed. The council has wide ability to modify this. Councilmember Bjork could amend the REUs shown in the resolution. Simpson cautioned that under state statute, the city must reasonably relate the charges of our services to the benefacting party. Staff has provided an estimate based on a number of assumptions. If council doesn't think it looks correct from a policy standpoint, they should send it back to staff for further review rather than to modify it. Council has the ability - if Bjork gets a second on an amendment to modify it, but that puts staff in the position to go back and

reverse analysis to make sure it is justified, and that we don't have to come back to you because it doesn't match the fees. Simpson spoke further. He suggested to accept it with the analysis or suggest that staff's analysis needs to be revisited.

Bjork apologized to council as he was just doing the math. He talked about the commercial. **Bjork moved to pull the item for re-evaluation and share it at the next council meeting. There was not a second.** Bjork said there was a policy that if staff recommends it, then that becomes gospel.

Odeen disagreed. Council has extensively talked about the streetlight special charge. It is an increase in charges to businesses and industries. They will already see an increase in what they are charged. She thinks if it is not fair, council can tweak it in the future as part of the fee schedule.

Morrisette agreed. Council has have seen this at a couple of different workshops and that was our chance to amend it or change it was at that time. Staff took the direction we gave them to move forward after what came out of those workshops and that's what has been presented.

Mayor Toland said there was no second for Bjork's comment. He asked if anyone else had a comment. Downing said the point we have to value is that we can relook at this every year and be fair to everybody. He valued what Bjork had to say.

With no other comments, the mayor asked for a roll call vote. The roll call vote passed unanimously.

REPORTS:

Comptroller's Report for May 2023

Comptroller Odeen read the following report:

General Fund revenues through the end of May were \$5,238,068 or 40.1% of total budgeted revenues for the year. Revenues in May include \$235,047 for a River Falls Rural Fire Association payment, \$18,200 for liquor and malt beverage licenses, \$16,813 in building permits, and \$14,450 in plat review Fees. Expenditures through the end of May were \$4,674,600 or 36.5% of total budget expenditures for the year. As of May 31, 2023, net revenues over expenditures were \$563,468.

ANNOUNCEMENTS:

Parks and Recreation Proclamation

Aldersperson Morrisette read the proclamation.

CLOSED SESSION:

At 7:10 p.m., MS Morrisette/Bjerstedt move to recess into Closed Session per Wisconsin State Statutes §19.85(1)(e) for the following purposes: "deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session, to wit: University of Wisconsin-River Falls Science Technology Partnership" and "Sterling Ponds Corporate Park, St. Croix County Parcels 276-1150-09-120 and 276-1150-09-111". **The roll call vote to move into the closed session passed unanimously.**

At 8:05 p.m., MS Morrisette/Downing to reconvene into open session. The roll call vote to move into open session passed unanimously.

MS Bjerstedt/Morrisette move to adjourn at 8:06 p.m. The roll call vote to adjourn passed unanimously.

Respectfully submitted,

Kristi McKahan, Deputy Clerk